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2512	7590	12/19/2005	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			MILEF, ELDA G	
			ART UNIT	PAPER NUMBER
			3628	

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because reference to drawings i.e. (15), (1) and Fig. 3 should not be included in the Abstract. Correction is required. See MPEP § 608.01(b).

The disclosure is objected to because of the following informalities: "electronic device 6" should be --electronic device 5-- see p.5, line 32 .

Appropriate correction is required.

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2. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

The disclosure is objected to because of the following informalities: the disclosure is not in proper form.

Appropriate correction is required.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a) because they fail to show "means 9" as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each

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drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claim 3: It is unclear as to the meaning of "the sum of money deposited in the money depositing means (1) is compared with said minimum sum, and loading takes place, if the deposited sum of money is smaller than the maximum sum".

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Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawan (US Patent No. 6,442,532) in view of Ferreira(US Patent No. 6,115,601).

Re claim 1: Kawan discloses:

A method for loading money from money loading means (15) to money depositing means (1), ("With the terminal 100, the user may add to the amount stored on the card and have the added amount debited form the user's account by the host computer.")-see col. 4, lines 64-67, wherein money is deposited in electrical 5 format ("electronic cash")-see col. 5, lines 41-50., characterized in that in the method, a loading condition is determined ("In executing these requests, the terminal exchanges encoded information...")-see col. 5, lines 13-33, a signal transmitted by the money loading means (15) is received ("The communications front end ...The signal from the direct wireless

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service 20 may be received by a number of different types of terminals")-see col. 3, lines 39-46.

Although Kawan discloses that the loading condition is examined and if fulfilled and if the signal transmitted by the money loading means (15) can be received -see col. 5. lines 5-33, Kawan does not specifically disclose wherein loading takes place automatically. Ferreira however, shows ("Preferably, the secure module 30 is implemented using smart-card technology...The credit reload server 20 may be operated by the service provider of the mobile communication, or any other suitable institution, such as a bank or credit card company... As a consequence of the removing, at certain moments credits need to be reloaded. The initiative for reloading may be taken by a user 40 of the system or automatically by the communication appliance 10 or the secure module 30 within the appliance 10, e.g. when the balance has dropped below a predetermined threshold...The reload... 20 debits an account at a financial institution 70, such as a bank, for the corresponding amount of money. To ensure that the correct account is debited, the secure module 30 stores an identification of the secure module.")-see col. 5, line 33-col.6, line 14. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kawan to include automatically replenishing a

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balance that has dropped below a predetermined threshold on a smart card as was taught by Ferreira in order to provide the user with a convenient method of replenishing an account.

Re claim 2: Kawan discloses:

said loading condition used is a minimum sum, wherein in the method, the sum of money deposited in the money depositing means (1) is compared with said minimum sum, and loading takes place, if the deposited sum 15 of money is smaller than said minimum sum. -see col. 4, line 61- col. 5, line 4.

Re claim 3: The Examiner is interpreting this claim to mean based on the amount remaining in the existing pre-paid account, a determination is made to deposit additional funds, and as such, Kawan discloses ("Once authorization has been obtained, the user may determine the user's current account balance and/or request that value be added to the card. In executing these requests, the terminal exchanges encoded information by wireless transmission with a financial network, such as one described above with respect to FIG. 1. For example, the terminal may be used to directly add value to the user's card, and then request by wireless transmission that the customer's account be debited a corresponding amount.")-see col. 5, 13-23.

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Re claim 4: Kawan discloses:

characterized in that in the method, also the sum of money to be loaded at each loading time is determined. -see col. 5, lines 14-22, ("Once authorization has been obtained, the user may determine the user's current account balance and/or request that value be added to the card...")

Re claim 5: Kawan discloses:

characterized in that in connection with the loading of money, an identification number is transmitted to the money loading means (15) for identification of the user -see col. 5, lines 5-13 .

Re claim 6: Kawan discloses:

characterized in that a cash card as used as the money depositing means (1)-see col. 2, ("smart cards").

Re claim 7: Kawan discloses:

characterized in that an automatic teller machine is used as the money loading means (15) -see col. 2, lines 34-37, cols. 4-6, Fig. 3A.

Re claim 8: Kawan discloses:

characterized in that a mobile communication network is used as the money loading means (15) -see col. 4, lines 7-17, Fig. 2C.

Re claim 9: Kawan discloses:

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An electronic device (5) provided with money depositing means (1) comprising means (8) for setting up a data transmission connection to money loading means (1)-see Fig.2C and cols. 3, line 30-col.4, line 60. Further, the remaining limitations in claim 9 have similar limitations found in claim 1 above, therefore are rejected by the same art and rationale.

Re claim 10: Kawan discloses:

characterized in that the means (13) for loading money comprise wireless communications means. -see col.3, lines 39-46. ("the communications front end...is connected to a direct wireless service...")

Claim 11 has similar limitations found in claim 6 above, therefore is rejected by the same art and rationale.

Re claim 12: Kawan discloses:

The electronic device (5) according to claim 9, characterized in that it comprises an identification card for identifying the user of the electronic device, and that the money depositing means (1) are arranged in connection with said identification card. -see col. 4, lines 9-13, ("the cellular telephone 75 includes...a smart card reader portion 84"...) and see col. 5, lines 5-13 ("PIN").

Re claim 13: Kawan discloses the electronic device (5), and that the money depositing means (1) are arranged in

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connection with said identification card. ("In FIG. 2C a cellular telephone 75 serves as a financial information and transaction terminal. In this embodiment, the cellular telephone 75 includes standard features such as an alpha-numerical keypad 80, a speaker portion 76, a microphone portion 83, and a display 78 (for example, a LCD display). Additionally, a smart card reader portion 84 is provided..." -see col. 4, lines 7-17, and cols. 3-4.

Re claim 14: Further, a system would have been necessary to perform previously rejected claim 9 and is therefore rejected using the same art and rationale.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 5,864,830 (Armetta et al.) -cited for its reference to replenishing a satellite spending card using a credit card.

US Patent No. 6,473,500 (Risafi et al.) -cited for its reference to a system and method for using a prepaid card, including reload.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elda

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Milef whose telephone number is (571)272-8124. The examiner can normally be reached on Monday - Friday 9:15 am to 5:45 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung Sough can be reached on (571)272-6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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